

1 MARIA J. FONSECA, Bar No. 101682
2 Law Offices of Maria J. Fonseca
3 702 Marshall Street, Suite 511
4 Redwood City, Ca. 94063
5 Telephone: 650/367-7727
6 Facsimile: 650/367-7729

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OK/HAV

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) CR S-05-00145 DFL
Plaintiff,)
v.) **STIPULATION AND [PROPOSED] ORDER**
ROSALVA BERNAL,)
BENITO LEDESMA.)
Defendant.)
_____)

Plaintiff United States of America, by its counsel, Assistant United States Attorney Jason Hitt, and defendant Benito Ledesma, by his counsel, Maria J. Fonseca, hereby stipulate and agree that the hearing on the motion to suppress and status conference currently calendared for September 15, 2005, should be continued as to defendant Benito Ledesma, and the matter set for change of plea on Thursday October 20, 2005, at 10 a.m.

The parties are in the process of finalizing a plea agreement and require additional time to complete the process and have the agreement
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1 reviewed by the defendant. The parties agree that time should
2 continue to be excluded due to the pending motion to suppress.
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5 Respectfully submitted,
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8 MCGREGOR SCOTT
9 United States Attorney
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12 Dated: September 13, 2005

13 /s/ Maria J. Fonseca
14 Telephonically authorized to sign
15 for JASON HITT
16 Assistant U.S. Attorney
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19 Attorney for Plaintiff
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22 Dated: September 13, 2005

23 /s/ Maria J. Fonseca
24 MARIA J. FONSECA
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27 Attorney for Defendant Ledesma
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30 **O R D E R**
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33 FOR GOOD CAUSE, IT IS SO ORDERED.
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36 Dated: September 15, 2005

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38 DAVID F. LEVI
39 United States District Judge
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US v. Bernal
CR S-05-00145 DFL
Stipulation to Continue/Proposed Order